

directed to "new matter" has been canceled. No new matter has been added.

Claims 2-26 have been rejected under 35 USC 112, first paragraph, as containing subject matter which was not originally described in the specification. It is respectfully submitted that newly amended Claim 23 overcomes this ground of rejection.

Claims 2-26 have been rejected under 35 USC 102(b) as being anticipated by Minnick. Applicants respectfully traverse this ground of rejection and urge reconsideration in light of the following comments.

The currently claimed invention is directed to a wall structure that is contained in a building structure exposed to transverse wind loading in which the improvement comprises the wall structure contains a first layer having a density of about 0.5-3 pounds per cubic foot and a second, reinforcing layer selected from the group consisting of a polymer fabric and a biaxially oriented polymeric film directly bonded to the first layer.

As discussed previously, the presently claimed invention is directed to a wall structure which is contained in a building structure that is subject to government regulations with respect to transverse wind loading. The wall structure comprises a laminate which has a first layer having a density of from 0.5-3 pounds per cubic foot and a second, reinforcing layer selected from the group consisting of a polymer fabric and a biaxially oriented polymeric film, which is directly bonded to the first layer. The instant invention allows foam insulating materials to be used without support from wood sheathing or other structural wall sheathing components in hurricane-prone geographic areas. Since foam-insulating materials are desirable due to their energy saving features, the present invention provides an unexpected advantage in that, typically, foam-insulating materials are not feasible in hurricane-prone regions because they must be supported with expensive structural materials that are capable of resisting hurricane force vacuums. It is respectfully submitted that

the Minnick reference has no disclosure of the presently claimed laminate structure.

The Minnick reference is directed to a lightweight, high strength laminate having improved fire-resistant characteristics. A preferred embodiment comprises a low density fiber reinforced thermoplastic resin core between two parallel sheets of high density fiber reinforced thermoset resin. Another embodiment comprises a core of polymeric foam laminated between two parallel inner fiber-reinforced thermoplastic resin layers, each of which face an outer layer of fiber-reinforced thermoplastic resin.

As the Examiner is well aware, in order for a proper rejection to be made under 35 USC 102, all elements of the claimed invention must be shown in the cited reference. The presently claimed invention requires that a second, reinforcing layer selected from the group consisting of a polymer fabric and a biaxially oriented polymeric film be directly bonded to a first layer having a density of about 0.5-3 pounds per cubic foot. In the Minnick reference, the polymeric foam core 3 is disposed between fiber reinforced thermoplastic resin sheets 2 and 2a. This reference has no disclosure of a polymer fabric or a biaxially oriented polymeric film, as required in independent Claim 23, to be bonded to the polymeric foam layer. If the Examiner maintains the rejection of the claims over this reference, he is respectfully requested to point out where Minnick shows a polymeric fabric or a biaxially oriented polymeric film bonded to the foam layer.

The dependent claims in the present application are even further distinguished over the Minnick reference as a further limit the invention of Claim 23 in manners that are clearly not taught by the prior art. That is, the prior art has no disclosure of a third layer comprising a cellulosic material laminated to the second, reinforcing layer. There also is no disclosure of the cellulosic layer being impregnated with a urethane or a polyester. Minnick does not disclose the low density layer being a fiber board material or the cellulosic

layer bonded to the second, reinforcing layer having a plastic film formed thereon.

It is understandable why the Examiner re-opened prosecution of the present application since the Board clearly would have reversed his rejection of the currently presented claims over the cited prior art. Unless the Examiner can come forward with prior art which actually shows or makes obvious the presently claimed invention, he is respectfully requested to pass the instant application to issue.

Reconsideration of the present application and the passing of it to issue is respectfully solicited.

Respectfully submitted,

  
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Encl: Marked-Up Twice Amended Claim 23  
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23. (Twice Amended) In a wall structure that is contained in a building structure exposed to transverse wind loading, the improvement comprising said wall structure containing a first layer having a density of about 0.5-3 lb./ft.<sup>3</sup> and a second, reinforcing layer selected from the group consisting of a polymer fabric, and a biaxially oriented polymeric film ~~and a fiberglass reinforced material~~ directly bonded to the first layer ~~and having a mechanical strength of at least 46 lbs./ft.<sup>2</sup>.~~